



PATENT
Attorney Docket No. 07810.0116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Graham PRING et al.) Group Art Unit: 1755
)
Application No.: 10/508,831) Examiner: Helene G. Klemanski
)
Filed: September 23, 2004)
)
For: KAOLIN PIGMENT HAVING HIGH) Confirmation No.: 3783
BRIGHTNESS AND NARROW)
PARTICLE SIZE DISTRIBUTION)
AND METHOD OF PREPARATION)
THEREFOR)

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

TERMINAL DISCLAIMER

Assignee, Imerys Pigments, Inc., duly organized under the laws of Georgia and having its principal place of business at 100 Mansell Court East, Suite 300; Roswell, Georgia; 30076, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, Application No. 10/508,831, filed September 23, 2004, for KAOLIN PIGMENT HAVING HIGH BRIGHTNESS AND NARROW PARTICLE SIZE DISTRIBUTION AND METHOD OF PREPARATION THEREFOR in the names of Graham PRING and Christopher R.L. GOLLEY, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 016503, Frame 0634 on September 23, 2004. Assignee, Imerys Pigments, Inc., further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent No. 6,149,200, filed 01/09/2007, S.I. No. 10508831

6,808,559, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 013942, Frame 0513 on April 9, 2003.

To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior patent No. 6,808,559, Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 8, 2007

By: Erin C DeCarlo
Erin C. DeCarlo
Reg. No. 51,688